

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, filed on 02/05/2008, with respect to claims 2-14 and 16-28 have been fully considered and are persuasive. The rejections of USC 112 first paragraph and 102(e) and 103(a) have been withdrawn.

### ***Examiner Amendments***

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

3. A clean version of the claims need to be submitted to the office of USPTO to replace the claims submitted on 2/5/2008 due to the poor quality of the claim listing after fax transmission.

### ***Allowable Subject Matter***

4. Claims 2-14 and 16-28 are allowed.

5. The following is an examiner's statement of reasons for allowance.

- The prior art fails to teach an apparatus of Claims 3, 10, 14, 17, 27 and 28 that specifically comprises the following:

- The instant application is deemed to be directed to a non-obvious improvement over the admitted prior art of the instant application and the

invention patented in Pat. No. US 7,065,036, US 7,061,427 and US 2004/0052319.

The improvement comprises that

With regard Claims 3, 10, 17 and 28, "performing a cross-correlation between samples of the incoming packet and standard symbol values to more precisely identify the symbol trailing boundary near the first approximation, wherein performing a cross-correlation further includes processing the result of the cross-correlation to discard a number of the most recent cross-correlation values and identify the symbol trailing boundary from the remaining cross-correlation values." as recited in combination with other limitation in claims 3, 10, 17 and 28, respectively,

With regard Claims 14 and 27, "performing a cross-correlation between samples of an incoming packet and a standard preamble and processing the results by discarding a number of the most recent cross-correlation values, locating a number of maximum peaks in the remaining cross-correlation values, then repeatedly selecting a maximum peak occurring earliest in time as the symbol timing boundary unless any of the remaining maximum peaks occurs a certain distance of cross-correlation values or more away, until a maximum peak has been identified as a symbol timing boundary near the first approximation." as recited in combination with other limitation as claimed.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted M. Wang whose telephone number is (571) 272-3053. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/Ted M Wang/

Primary Examiner, Art Unit 2611